IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 28TH SEPTEMBER 2007 / 6TH ASWINA 1929

WP(C).No. 28069 of 2007(N)

PETITIONER:

P.K. RAMESAN,
KALAPURACKAL, MUTHAKUNNAM, ERNAKULAM.

BY ADV. SMT.P.A.ANITHA

RESPONDENTS:

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1. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETY (G), ERNAKULAM.

2. THE ERNAKULAM DISTRICT CO-OPERATIVE BANK, REPRESENTED BY ITS MANAGING DIRECTOR.

3. THE BRANCH MANAGER, ERNAKULAM DISTRICT CO-OPERATIVE BANK, MUTHAKUNNAM BRANCH.

4. THE AUTHORISED OFFICER, ERNAKULAM DISTRICT CO-OPERATIVE BANK.

R1 & R4 BY GOVT. PLEADER SMT. ANU SIVARAMAN.
R2 & R3 BY SC SRI. P.V. SURENDRANATH.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No. 28069 of 2007

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Dated this the 28th day of September, 2007

JUDGMENT

Petitioner challenges Exts.P1 to P3 and seeks the benefit of one time settlement.

2. I heard learned counsel for the respondent Bank also. Sri. P.V.Surendranath submits on behalf of respondents 2 and 3 that there is no one time settlement available. Then learned counsel for the petitioner prays for instalments. Of course learned counsel for the respondents submits that the writ petition is ill motivated and in fact the petitioner himself has been approaching the Bank to take action.

The writ petition is disposed of permitting the petitioner to pay off the amount due with interest in four monthly instalments. Of course this is apart from complying with the interim order dated 20.9.2007. The second respondent will serve a statement to the petitioner within two weeks from today, if the petitioner remits the amount of Rs. 25,000/- ordered to be paid, showing the amount due with interest to be paid by the petitioner and also fixing the exact

amount of instalment to be paid in terms of this judgment. The first instalment, of course after paying Rs.25,000/-, will be paid on or before 1.11.2007. Further instalments are to be paid on or before the first working day of the succeeding months. If the petitioner fails to pay either the amount of Rs.25,000/- or any single instalment, the petitioner will lose the benefit of this judgment and it will be open to the respondent Bank to proceed against the petitioner in accordance with law.

(K.M. JOSEPH, JUDGE)

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